



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

NARVIEZ V. ALEXANDER,  
#44839

Plaintiff,

vs.

STATE OF NEVADA, *et al.*,

Defendants.

3:10-cv-00429-RCJ-RAM

**ORDER**

This court's Order screening plaintiff's first amended complaint dismissed certain claims with leave to amend (*see* docket #9). On February 23, 2011, the court directed plaintiff to file a supplement to his motion for relief from district judge order (*see* docket #23). Plaintiff essentially seeks to add an additional claim that defendants were deliberately indifferent to his serious medical needs in violation of his Eighth Amendment rights; he also urges that the court erred in dismissing his retaliation claim.

If plaintiff elects to file a second amended complaint, as directed in the Screening Order (docket #9) he should set forth his allegations regarding any First Amendment or RLUIPA claims. Plaintiff should also set forth any allegations regarding this additional Eighth Amendment medical claim for screening by this court.

1           **IT IS THEREFORE ORDERED** that plaintiff's motion "supplement to motion for  
2 relief from order/request for leave to amend" (docket #23) is **DENIED** as moot.

3           **IT IS FURTHER ORDERED** that plaintiff shall file his second amended complaint,  
4 if any, within **thirty (30) days** of the date of entry of this Order. The second amended complaint must  
5 be a complete document in and of itself, and will supersede the first amended complaint in its entirety.  
6 Any allegations, parties, or requests for relief from prior papers that are not carried forward in the second  
7 amended complaint will no longer be before the court.

8           **IT IS FURTHER ORDERED** that plaintiff shall clearly title the amended complaint  
9 as such by placing the words "SECOND AMENDED" immediately above "Civil Rights Complaint  
10 Pursuant to 42 U.S.C. § 1983" on page 1 in the caption, and plaintiff shall place the case number, **3:10-**  
11 **CV-00429-RCJ-RAM**, above the words "SECOND AMENDED" in the space for "Case No."

12           **IT IS FURTHER ORDERED** that if plaintiff does not file a second amended complaint  
13 that this action shall proceed as set forth in the first screening order (docket #9).

14           **IT IS FURTHER ORDERED** that the Clerk shall send to plaintiff a blank section 1983  
15 civil rights complaint form with instructions along with one copy of the first amended complaint  
16 (docket #10).

17           **IT IS FURTHER ORDERED** that defendants shall not file an answer or other  
18 responsive pleading until further order from this Court. This supersedes the Minute Order at docket #25.

19           DATED: April 18, 2011.

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21   
22 UNITED STATES MAGISTRATE JUDGE